



PATENT
03DV-7112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott Coonrod :
Serial No.: 09/682,679 : Art Unit: 2834
Filed: October 4, 2001 : Examiner: Dang D. Le
For: METHODS AND APPARATUS FOR :
SECURING AN ENDSHIELD TO AN :
ELECTRIC MOTOR :

Commissioner for Patents
Washington, D.C. 20231

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TC 1700

TRANSMITTAL

- Transmitted herewith is:
Response to Restriction Requirement dated December 10, 2002; Certificate of Mailing
by Express Mail

STATUS

- Applicant
☒ claims small entity status.
☐ is other than a small entity.

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

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Patents, Washington, D.C. 20231
Date: 12-30-02

FACSIMILE
transmitted by facsimile to the Patent and Trademark
Office

Daniel M. Fitzgerald
Registration No. 38,880

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) _____ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ first month	\$ 110.00	\$ 55.00
_____ second month	\$ 400.00	\$ 200.00
_____ third month	\$ 920.00	\$ 460.00
_____ fourth month	\$1,440.00	\$ 720.00
_____ fifth month	\$1,960.00	\$ 980.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension of _____ months has already been secured. The fee paid therefor \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE	ADDITIONAL RATE FEE
TOTAL INDEP.	MINUS	=	x \$9 =	\$	x \$18 = \$
	MINUS	=	x \$42 =	\$	x \$84 = \$
— FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$130 = \$	+ \$280 = \$
				TOTAL ADDITIONAL FEE \$	OR TOTAL ADDITIONAL FEE \$

- (a) ☒ No additional fee for Claims is required

OR

- (b) _____ Total additional fee for claims required \$

FEE PAYMENT

5. _____ Attached is a check in the sum of \$_____
- _____ Charge Deposit Account No. 01-2384 the sum of \$_____.
- A duplicate of this transmittal is attached.

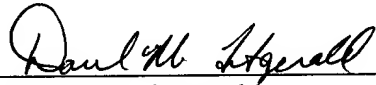
FEE DEFICIENCY

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. _____ Other:


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12-31-02

GP# 2834
PATENT
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CERTIFICATE OF MAILING BY EXPRESS MAIL TO
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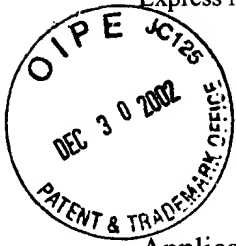
I certify that the documents listed below:

- Transmittal (3 pgs., in duplicate)
- Response to Restriction Requirement dated December 10, 2002 (2 pgs.)
- Certificate of Express Mail (1 pg.)
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

The Office Action mailed December 10, 2002, has been carefully reviewed and the following remarks are submitted in consequence thereof.

Claims 1-23 are now pending in this application. Claims 1-23 are subject to a restriction requirement.

In response to the restriction requirement set forth in the Office Action, Applicant elects, with traverse, for prosecution in this application all claims of Group I, Claims 1-15.

Reconsideration of the restriction requirement imposed under 35 U.S.C. § 121 is respectfully requested. The restriction requirement is traversed because the inventions set out by the claims in Groups I and II are clearly related. Applicant submits that a thorough search and examination of either claim group would be relevant to the examination of the other group and would not be a serious burden on the Examiner. To the extent that the restriction requirement relies on this assertion, it is respectfully submitted that the restriction requirement is improper and should be withdrawn.

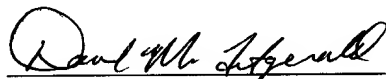
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The Office Action also suggests that the apparatus claims of Group I and the method claims of Group II are distinct because the steps recited in the method claims of Group II “can be practiced by hand.” Applicant respectfully submits that the method claims of Group II cannot be performed by hand. Furthermore, as required by the MPEP, the Examiner has failed to provide any reasonable examples as to how the method claims of Group II can be performed by hand. (See MPEP § 806.05(e).) Accordingly, Applicant respectfully submits that the restriction requirement is improper and should be withdrawn.

Moreover, even assuming, arguendo, that the method claims of Group II can be performed by hand, Applicant respectfully submits that the inventions set out by the claims in Groups I and II are not distinct because they both include an endshield assembly claimed in a similar fashion. Accordingly, Applicant respectfully submits that the restriction requirement is improper and should be withdrawn.

Reconsideration and favorable action with respect to all the pending claims is respectfully solicited.

Respectfully Submitted,



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